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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 10 2002

TECH CENTER 1600, 2900

Applicants: Jerome B. Posner, Josep O. Dalmau and Myrna R. Rosenfeld

Application No.: 10/037,860 Group Art Unit: 1645

Filed: January 4, 2002 Examiner:

Title: Ma FAMILY POLYPEPTIDES AND ANTI-Ma ANTIBODIES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>4/5/02</u>	<u>Christina M. McCeney</u>
Date	Signature
<u>Christina M. McCeney</u>	
Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies of the cited references are enclosed.
- ☒ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. 09/189,527, to which priority under 35 U.S.C. 120 is claimed. The earlier application contains copies of the cited references.
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.
- ☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

David E. Brock, R.N. 22592

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Dated: *4/2/02*

PTD 1449 REPRODUCIBLE INFORMATION DISCLOSURE CITATION IN AN APPLICATION March 29, 2002 (Use several sheets if necessary)				ATTORNEY DOCKET NO. 2581.1004-004		APPLICATION NO. 10/037,860	
				APPLICANT Jerome B. Posner, et al.		APR 10 2002 TECH CENTER 1600/2900	
				FILING DATE January 4, 2002			
U.S. PATENT DOCUMENTS							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	5,603,934	18-FEB-97	Posner, et al.	424	185.1	
	AB	5,614,371	25-MAR-97	Posner, et al.	435	7.23	
	AC	5,668,013	16-SEP-97	Posner, et al.	435	320.1	
	AD	5,807,705	15-SEP-98	Posner, et al.	435	69.1	05-JUN-95
	AE						
	AF						
	AG						
	AH						
	AI						
	AC						
	AK						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL						
	AM						
	AN						
	AO						
	AP						
	AQ						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AR	Ahern, G.L., et al. "Paraneoplastic temporal lobe epilepsy with testicular neoplasm and atypical amnesia," <i>Neurology</i> , 44:1270-1274 (1994).					
	AS	Anderson, N.D., et al. "Paraneoplastic Cerebellar Degeneration: Clinical-Immunological Correlations," <i>Ann. Neurol.</i> 24:559-567 (1988).					
	AT	Burton, G.V., et al. "Paraneoplastic Limbic Encephalopathy With Testicular Carcinoma," <i>Cancer</i> , 62:2248-2251 (1988).					
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AU	Buckanovich, R.J., et al. "Nova, the Paraneoplastic Ri Antigen, Is Homologous to an RNA-Binding Protein and Is Specifically Expressed in the Developing Motor System", <i>Neuron</i> . 11:657-672 (1993).					
	AV	Budde-Steffen, C., et al. "An Antineuronal Autoantibody in Paraneoplastic Opsoclonus", <i>Ann. Neurol.</i> 23:528-531 (1988).					
	AW	Dalmau, J., et al. "Detection of the Anti-Hu Antibody in the Serum of Patients with Small Cell Lung Cancer - A Quantitative Western Blot Analysis", <i>Ann. Neurol.</i> 27:544-552 (1990).					
	AX	Dalmau, J., et al. "Anti-Hu-Associated Paraneoplastic Encephalomyelitis/Sensory Neuronopathy", <i>Medicine</i> 71(2):59-72 (1992).					
	AY	Dalmau, J.O. and Posner, J.B. "Paraneoplastic Syndromes Affecting the Nervous System," <i>Sem. in Onc.</i> 24(3):318-328 (1997).					
	AZ	Darnell, R.B. "Onconeural antigens and the paraneoplastic neurologic disorders: At the intersection of cancer, immunity, and the brain." <i>Proc. Natl. Acad. Sci. USA</i> . 93:4529-4536 (1996).					
	AR2	Dropcho, E.J., et al. "Cloning of a brain protein identified by autoantibodies from a patient with paraneoplastic cerebellar degeneration." <i>Proc. Natl. Acad. Sci. USA</i> . 84:4552-4556 (1987).					
	AS2	Dropcho, E.J. "Neurologic paraneoplastic syndromes," <i>J. Neuro. Sci.</i> 153:264-278 (1998).					
	AT2	Dropcho, E.J. "Autoimmune Central Nervous system Paraneoplastic Disorders: Mechanisms, Diagnosis, and Therapeutic Options," <i>Ann. Neurol.</i> 37(S1):S102-S113 (1995).					
	AU2	Fathallah-Shayk, H., et al., "Cloning of a leucine-zipper protein recognized by the sera of patients with antibody-associated paraneoplastic cerebellar degeneration." <i>Proc. Natl. Acad. Sci. USA</i> . 88:3451-3454 (1991).					
	AV2	Furneaux, H.M., et al., "Selective Expression of Purkinje-cell antigens in tumor tissue from patients with paraneoplastic cerebellar degeneration." <i>NEJM</i> . 322(26):1844-1851 (1990).					
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	AW2	Furneau, H.M., et al., "Antoantibody synthesis in the central nervous system of pateints with paraneoplastic syndromes." <i>Neurology</i> 40:1085-1091 (1990).					
	AX2	Graus, F., et al., "Neuronal antinuclear antibody in sensory neuropathy from lung cancer." <i>Neurology</i> 35:538-543 (1985).					
	AY2	Graus, F., et al., "Immunological characterization of a neuronal antibody (anti-Tr) assciated with paraneoplastic cerebellar degeneration and Hodgkin's disease." <i>J. Neuroimmunology</i> . 74:55-61 (1997).					
	AZ2	Luque, F.A., et al., "Anti-Ri: An Antibody Associated with Paraneoplastic Opsoclonus and Breast Cancer." <i>Ann. Neurol.</i> 29:241-251 (1991).					
	AR3	Moll, J.W.B., et al., "Diagnostic value of anti-neuronal antibodies for paraneoplastic disorders of the nervous system." <i>J. Neurol., Neuros, and Psychi.</i> 53:940-943 (1990).					
	AS3	Moll, J.W.B., et al., "Anti-neuronal antibodies in paraneoplastic neurological disorders with small-cell lung carcinoma." <i>Clin. Neurol. Neurosurg.</i> 92-3:223-228 (1990).					
	AT3	Moll, J.W.B., et al., "Immune diagnosis of paraneoplastic neurological disease." <i>Clin. Neurol. Neurosurg.</i> 97:71-81 (1995).					
	AU3	Peterson, K., et al., "Paraneoplastic cerebellar degeneration. I. A clinical analysis of 55 anti-Yo antibody-positive patients." <i>Neurology</i> 42:1931-1937 (1992).					
	AV3	Posner, J.B. and Dalmau, J. "Paraneoplastic syndromes." <i>Curr. Opin. Immunol.</i> 9:723-729 (1997).					
	AW3	Stenger, S. and Modlin, R.L. "Cytotoxic T cell responses to intracellular pathogens." <i>Curr. Opin. Immunol.</i> 10:471-477 (1998).					
	AX3	Sakai, K., et al., "Isolation of a Complementary NA Clone Encoding an Autoantigen Recognized by an Anti-Neuronal Cell Antibody from a Patient with Paraneoplastic Cerebellar Degeneration." <i>Ann. Neurol.</i> 28:692-698 (1990).					
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PIO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION March 29, 2002 (Use several sheets if necessary)		ATTORNEY DOCKET NO. 2581.1004-004	APPLICATION NO. 10/037,860
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		FILING DATE January 4, 2002	GROUP 1645

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FOREIGN PATENT DOCUMENTS							
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
AY3	Sillevis-Smitt, P., et al. "Pitfalls in the diagnosis of autoantibodies associated with paraneoplastic neurologic disease." <i>Neurology</i> . 46:1739-1741 (1996).
AZ3	Szabo, A., et al., "HuD, a Paraneoplastic Encephalomyelitis Antigen, Contains RNA-Binding Domains and Is Homologous to Elav and Sex-lethal. <i>Cell</i> 67:325-333 (1981).
AR4	Voltz, R., et al., "CD8 + T Cells are Primarily Involved in the Pathogenesis of the Anti-HU Paraneoplastic syndrome." Abstract.
AS4	Gultekin, S.H., et al. "Characterization of a Novel Antineuronal Antibody (Anti-Ta) in the Serum of 6 Patients with Testicular Cancer and Paraneoplastic Limbic Encephalopathy." Abstract.
AT4	Dalmau, J., et al., "The novel antibody (anti-Ma) from patients with paraneoplastic brainstem and cerebellar dysfunction recognizes MM1, a protein expressed in brain and testis," <i>J. Neurol</i> , 245:355-356 (1998).
AU4	Voltz, R., et al., "Sera of patients with testicular cancer and paraneoplastic limbic/brainstem encephalitis harbor an antineuronal antibody (anti-Ta) that recognizes a novel neuronal protein," Abstract.
AV4 ✓	Lazar, E., et al., "Transforming Growth Factor α : Mutation of Aspartic Acid 47 and Leucine 48 Results in Different Biological Activities", <i>Molecular and Cellular Biology</i> , 8(3):1247-1252 (1988).
AW4	Burgess, W.H., et al., "Possible Dissociation of the Heparin-binding and Mitogenic Activities of Heparin-binding (Acidic Fibroblast) Growth Factor-1 from Its Receptor-binding Activities by Site-directed Mutagenesis of a Single Lysine Residue", <i>Journal of Cellular Biology</i> , 111:2129-2138 (1990).
AX4	Yoshimura, K., et al., "Epitope Recognized by an Antineuronal Autoantibody Associated with Paraneoplastic Neurological Syndrome are Conservative Between Vertebrate", <i>Society for Neuroscience</i> , 22(1-3):983 (1996).

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